



IAP12 Rec'd PCT/PTO 13 JUN 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: AIZAWA1

In re Application of:
Yasushi AIZAWA
Serial No. 10/590,895
IA Filing Date: February 24, 2005
For: CYANINE DYE

) Application Division
>) **ATTN: PCT**
>) Washington, D.C.
>) Confirmation No. 4396
>) Date: June 13, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 30, 2007. Attached hereto are:

[XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT and priority information.

[] A Preliminary Amendment [] Fees are reduced due to elimination of claim multiple dependencies.

[] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.

[XX] Application Data Sheet

[] An Information Disclosure Statement with 08A- 1449 and references.

[XX] Additional fees as calculated below:

[] Search fee	\$400.00
[] Examination fee	\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE
	X \$250.00
Number of Claims Previously Paid For	Number of Extra Claims
- 20 =	X \$ 50.00
- 3 =	X \$200.00
Multiple Dependent Claims (if applicable)	+ \$360.00
TOTAL OF ABOVE CALCULATIONS	
Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.	
SUBTOTAL	
Processing fee of \$130.00 for late furnishing of the English translation.	
TOTAL NATIONAL FEE	

[] Surcharge for late filing of the Declaration was paid on _____.

[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity		
Response Filed Within		
[] First	-	\$ 60.00
[] Second	-	\$ 225.00
[] Third	-	\$ 510.00
[] Fourth	-	\$ 795.00
[] Fifth	-	\$1,080.00
month after time period set		

Other Than Small Entity		
Response Filed Within		
[] First	-	\$ 120.00
[] Second	-	\$ 450.00
[] Third	-	\$1,020.00
[] Fourth	-	\$1,590.00
[] Fifth	-	\$2,160.00
month after time period set		

[XX] Total fees enclosed: \$730.00

06/15/2007 MKAYPAGH 00000055 10590895

01 FC:1642	400.00	OP
02 FC:1633	200.00	OP
03 FC:1617	130.00	OP

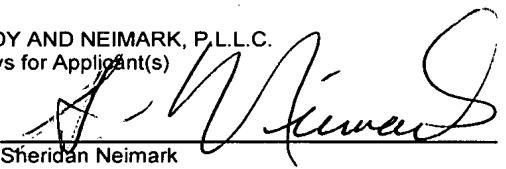
[XX] Submitted herewith is a Credit Card Authorization, authorizing payment the amount of \$730.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:


Sheridan Neimark
Registration No. 20,520

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/590,895	Yasushi Aizawa	AIZAWA1
		INTERNATIONAL APPLICATION NO.
		PCT/JP05/02978
		I.A. FILING DATE PRIORITY DATE
		02/24/2005 02/27/2004
CONFIRMATION NO. 4396		
371 FORMALITIES LETTER		
OC000000023582678		

Date Mailed: 04/30/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/28/2006
- English Translation of the IA filed on 08/28/2006
- Copy of the International Search Report filed on 08/28/2006
- Request for Immediate Examination filed on 08/28/2006
- U.S. Basic National Fees filed on 08/28/2006
- Priority Documents filed on 08/28/2006

MSP = 31 JE 2007

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE

Total additional fees required for this application is \$130 for a Large Entity.

- \$130 Surcharge

- The application search fee has not been paid. Applicant must submit \$400 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005..

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/590,895	PCT/JP05/02978	AIZAWA1

FORM PCT/DO/EO/905 (371 Formalities Notice)